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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,774	12/31/1998	GREGORY S. LINDHORST	3797.77995	3334

28319 7590 05/23/2002

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EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 05/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/223,774

Applicant(s)

LINDHORST ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: original application filed 12/31/1998, pre-amendment filed 4/2/2002 (paper 6), and IDS filed 4/2/2002 (paper 7).
2. Claims 1-7 are pending. Claims 1, 3 are independent claims.

Specification

3. The disclosure is objected to because of the following informalities: The Related Application Information on page 1 of Applicant's Specification should be updated to reflect that Application Serial No. 08/959,300 is now U.S. Patent No. 6,035,119. Appropriate correction is required.

Claim Objections

4. Claim 1 is objected to because of the following informalities: the phrase "*an page object*" is grammatically incorrect. The Examiner's suggestion of changing said phrase to "*a page object*" will overcome this objection. Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
6. The claimed invention is directed to non-statutory subject matter.

In regard to independent claim 1, the claimed limitations of claim 1 can be interpreted as being drawn towards a printed data structure (i.e. a textbook code illustration), and is therefore directed to non-statutory subject matter. The Examiner's suggestion of changing "*A data structure*" to "*A computer implemented data structure*" will overcome this rejection.

In regard to independent claim 3, the claimed limitations of claim 3 can be interpreted as being drawn towards a series of manual steps, and is therefore directed to non-statutory subject matter. The Examiner's suggestion of changing the phrase "*A method*" to "*A computer implemented method*" will overcome this rejection.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser, U.S.

Patent No. 5,953,731 issued September 1999.

In regard to independent claim 1, Glaser teaches:

- A development environment comprising an Applet control list of all forms and projects (Glaser Abstract, column 7 lines 40-45; compare with claim 1 "*an page object control for storing a list....on a first page*").

- Inserting controls from one form or HTML page onto another HTML page (Glaser Abstract; compare with claim 1 "*at least one method on said first page*").

- a control from one form or HTML page inserted into another HTML page. A form window displaying applet "FORM1" is dragged into a "FORM2" drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page

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with all necessary code associated with said object (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 1 “*wherein a second page retrieves said page object control and uses said list in order to support script in said second page.*”).

- The limitation of “*treating said first page as an object*” would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret said forms from said applet list as associated with HTML pages, providing the advantage of form objects that are customized to different pages.

In regard to dependent claim 2, Glaser teaches dragging a control into a dropped position (settable by developer) in an HTML page (Glaser column 7 lines 14-20; compare with claim 2).

In regard to independent claim 3, Glaser teaches:

- The (preamble) limitation of “*...treats a second page as an object*” would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret said forms from said applet list as associated with HTML pages, providing the advantage of form objects that are customized to different pages.

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- editing a page with a form editor (Glaser Abstract; compare with claim 3 “*editing said first page*”).

- a control from one form or HTML page inserted into another HTML page. A form window displaying applet “FORM1” is dragged into a “FORM2” drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 3 “*referencing said second page in said first page as an object usable in said first page.*”).

- a data storage device for storing data (Glaser column 3 lines 66-67; compare with claim 3 “*storing said first page.*”).

In regard to dependent claims 4, 5, Glaser teaches a development environment comprising an Applet control list of all forms and projects, and inserting controls from one form or HTML page into another HTML page with all necessary code associated with said object (Glaser Abstract, column 7 lines 40-45; compare with claims 4, 5.

In regard to dependent claims 6, 7, Glaser teaches dragging a control into a modifiable dropped position in an HTML page (Glaser column 7 lines 14-20; compare with claims 6, 7).

Conclusion

9. Prior art made of record and not relied upon is considered pertinent to disclosure.

Wolf et al.	U.S. Patent No. 5,818,447	issued	10/1998
Fraley et al.	U.S. Patent No. 6,059,838	issued	05/2000
Massena et al.	U.S. Patent No. 6,035,119	issued	03/2000

Sleeter, Melissa E., OpenDoc—building online help for a component-oriented architecture, Annual ACM Conference on Systems Documentation, 1996, pp. 87-94.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

11. Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

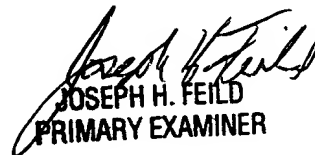
(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Fourth Floor (Receptionist).

William L. Bashore
05/19/2002


JOSEPH H. FEILD
PRIMARY EXAMINER